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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GANGFENG CAI
TA YEN CHING
HU YANG

Serial No.: 09/664,993

Filed: September 18, 2000

For: OXYGEN SCAVENGERS WITH
REDUCED OXIDATION PRODUCTS
FOR USE IN RIGID BEVERAGE AND
FOOD CONTAINERS

Group Art Unit: 1772

Examiner: S. Nolan

Attorney Docket: 2039.006100/RFE

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GROUP 1700
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RESPONSE TO OFFICE ACTION
DATED NOVEMBER 7, 2001

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This paper is submitted in response to the Office Action dated November 7, 2001, for which the three-month date for response is February 7, 2002.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Assistant Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2039.006100RFE.

Reconsideration of the application is respectfully requested.

CERTIFICATE OF FACSIMILE
37 C.F.R. § 1.6(d)

I hereby certify that this paper is being facsimile transmitted to the Assistant Commissioner for Patents, Washington D.C., 20231, facsimile number 1-703-305-5436, on this 7th day of February, 2002.

Cynde Meinhart
Cynde Meinhart

AMENDMENT

Amend claims 1 and 7, as follows:

AS *AN*

1. (Amended) A multi-layer rigid container for food or beverage packaging comprising at least an inner layer, an outer layer and a core layer between the inner layer and the outer layer, wherein the inner and outer layers are comprised of an aromatic polyester or copolyester, and wherein the core layer is comprised of (i) an oxygen scavenging polymer comprising a polymer backbone and cyclic olefinic pendent groups covalently linked to the polymer backbone; and (ii) a transition metal catalyst.

AS *SL*

7. (Amended) The rigid container of claim 1, wherein the oxygen scavenging polymer is selected from the group consisting of a ethylene/methyl acrylate/cyclohexenyl methyl acrylate terpolymer, a cyclohexenyl methyl acrylate/ethylene copolymer, a cyclohexenyl methyl methacrylate/styrene copolymer, a cyclohexenyl methyl acrylate homopolymer and a methyl acrylate/cyclohexenyl methyl acrylate copolymer.

REMARKS1. Status of claims

Claims 1-17 are pending.

2. Support for amendment

The above amendment more particularly points out and distinctly claims the subject matter of the invention. No new matter has been added.